

Kerala Gazette No. 26 dated 29th June 2010.

PART I



GOVERNMENT OF KERALA Fisheries and Ports (E) Department

NOTIFICATION

No. 14542/E2/2009/F & PD.

Dated, Thiruvananthapuram, 20th June 2010.

The following draft of the Rules which the Government of Kerala proposes to make for the working of electric cranes, forklifts and generators installed on piers and wharfes at the Minor Ports and for levy of fees for the use of the same, in exercise of the powers conferred by clause (ii) of sub-section (1) of section 6 of the Indian Ports Act, 1908 (Central Act 15 of 1908) and in supersession of Notification issued under G.O. (P) No. 20/97/F&PD, dated 19th June, 1997 and published as S. R. O. No. 491/97 in Kerala Gazette Extraordinary No. 842 dated 30th June, 1997 and hereby published for general information as required by sub-section (2) of section 6 of the said Act.

Notice is hereby given that the said draft Rules will be taken up for consideration on or after one month from the date of publication in the Gazette. Objections or suggestions if any that may be received in respect of the said draft Rules on or before the date specified above, will be considered by the Government. Objections or suggestions shall be addressed to the Secretary to Government, Fisheries and Ports Department, Secretariat, Thiruvananthapuram.

DRAFT RULES

1. *Short title, commencement and application.*—(1) These rules may be called the Rules for the working of electric cranes at the Minor Ports, 2010.

(2) They shall come into force at once.

(3) They shall apply to all the Minor Ports in the State of Kerala.

2. *Requisition and working of electric cranes, forklifts and generators.*—

(1) No person other than the departmental staff appointed for the purpose shall operate the electric cranes, forklifts and the generators.

(2) Persons requiring the services of electric cranes, forklifts and generators shall make a request in writing in the form given in the Annexure, in triplicate, to the officer-in-charge of the port, during the office hours and atleast one hour before the time from which the said machinery is required. There shall be affixed on the application a court fee stamp for the value of rupees two and an advance fee of rupees on thousand shall also be remitted along with each such application.

(3) The allotment of cranes, forklifts and generators for work in requisition shall be subject to the availability and also at the discretion of the officer-in-charge of the port or any subordinate officer authorized by him in this behalf.

3. *Rate of Hire charges.*—(1) Hire Charges at the rate specified in the table below less advance free paid under sub rule (2) of rule 2 shall be paid by the persons who requisitioned the cranes, forklifts or generators within 48 hours of the receipt of demand notice issued by the Officer-in-charge of the Port on completion of the work.

TABLE

<i>Sl. No.</i>	<i>Type and Capacity of Machinery</i>	<i>Rate of Hire Charges</i>
(1)	(2)	(3)
1	Electric wharf crane (5 Ton) No.1	Rs. 500 per hour or part thereof
2	Electric wharf crane (3 Ton) No. 2 & 4	Rs. 355 per hour or part thereof
3	Electric wharf crane (3 Ton) No. 3 & 5	Rs. 655 per hour or part thereof
4	12 T mobile crane with diesel oil	Rs. 1,245 per hour or part thereof
5	12 T mobile crane without diesel oil	Rs. 975 per hour or part thereof

(1)	(2)	(3)
6	20 Ton mobile crane with diesel oil	Rs. 2,890 per hour or part thereof
7	12 T mobile crane without diesel oil	Rs. 2,230 per hour or part thereof
8	3 Ton fork lift with diesel oil	Rs. 275 per hour or part thereof
9	3 Ton fork lift without diesel oil	Rs. 115 per hour or part thereof
10	500 KVA genset with diesel at Half Load	Rs. 2,815 per hour or part thereof
11	Hire charge of 500 KVA genset without diesel at Half Load	Rs. 350 per hour or part thereof

Note:—(1) For lifting of engines of mechanized fishing vessels for repairs, hires charges shall be payable at hourly rate for crane as specified under Rule 3.

- (2) The department shall not be responsible for the stoppage of work under any circumstances beyond the control of the department. No hire charges will however ; be levied for stoppage on this account for more than 30 minutes on any particular occasion.
- (3) In the event of the machinery being requisitioned and not utilized for any reason, without prior cancellation a minimum fee of Rs. 500 will be charged on every such application.

4. *Maintenance of accounts.*—(1) The Officer-in-charge of the Port shall maintain a register of cargo handled along with hours utilized by each machinery.

(2) In the event of any dispute arising out of demand for hire charges of any machinery, the decision of the officer-in-charge of the post shall be final.

5. *Payment of Over Time fees to operating staff.*— Overtime fee at the rate sanctioned from time to time by the Government shall be paid to the Department for the service of staff on sundays and other holidays and for work out of normal working hours from 8 a. m. to 12 noon and from 2 p. m. to 6 p. m. by the persons requisitioning the service of the machinery.

ANNEXURE

Court fee Stamp of Rs. 2

PORT DEPARTMENT

Requisition form for the Services of Electric Crane/forklift/generator

1. Name and full address of applicant :
2. Purpose for which crane/forklift/generator is :
required (Tick on whichever is applicable)
3. Date and time from which services are :
required
4. Expected duration of use :
5. Type of cargo :
6. Advance remitted :

I agree to abide by the rules and regulations of the Department in force in the matter.

Place:

Date:

Signature of Applicant.

Time:

For Office Use

Remarks:

Started at

Completed at

Hire charges

Overtime fee

Total

Advanced collected

Balance

Receipt No.

Operator of Machinery

Wharf Supervisor

Section

Port Officer

By order of the Governor,

SANJEEV KAUSHIK,
Secretary to Government.